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1 MARK JOSEPH KENNEY (State Bar No. 87345)
2 BRIAN S. WHITTEMORE (State Bar No. 241631)
bsw@severson.com
3 SEVERSON & WERSON
A Professional Corporation
One Embarcadero Center, Suite 2600
4 San Francisco, CA 94111
Telephone: (415) 398-3344
5 Facsimile: (415) 956-0439

6 Attorneys for Defendants
BANK OF AMERICA, N.A. and
7 RECONTRUST COMPANY, N.A.

8
UNITED STATES DISTRICT COURT
9
NORTHERN DISTRICT OF CALIFORNIA

10
SAN JOSE DIVISION

11 JOSE CONTRERAS,

12 Plaintiff,

13 vs.

14 BANK OF AMERICA, organized and existing
15 under laws of the United States, RECONTRUST
COMPANY, N.A., is organized and existing
16 under the laws of the State of Texas,

17 Defendants.

Case No.: CV11-00068 HRL

Hon. Jeremy Fogel

Ctrm.²

ORDER GRANTING

**DEFENDANTS' REQUEST TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE**

Date: September 23, 2011

Time: 10:30 a.m.

Ctrm.: 3

Judge: Hon. Jeremy Fogel

Complaint Filed: January 6, 2011

20 Defendants BANK OF AMERICA, N.A. and RECONTRUST COMPANY, N.A.

21 (“Defendants”) respectfully request that this Court continue the Initial Case Management
22 Conference now set for September 23, 2011 and all associated deadlines (Doc. 23). Defendants
23 request this continuance as the court granted the motion to dismiss with leave to amend (Doc. 24)
and Plaintiff’s Amended Complaint is not due until September 22, 2011, the day before the
25 currently scheduled Initial Case Management Conference. As a result, this case is not yet at
issue. Defendants will likely challenge any amended complaint filed by Plaintiff.

1 Accordingly, Defendants respectfully request that this Court continue the Initial Case
2 Management Conference, and all associated deadlines, to a future date sufficient to allow
3 Defendants an opportunity to review and analyze any amended complaint filed by Plaintiff and to
4 prepare a timely response.

5 DATED: September 13, 2011

SEVERSON & WERSON
A Professional Corporation

8 By:/s/ Brian S. Whittemore
BRIAN S. WHITTEMORE

9
10 Attorneys for Defendants
11 BANK OF AMERICA, N.A. and
12 RECONTRUST COMPANY, N.A.
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14 The Case Management Conference set for September 23, 2011 is VACATED pending
reassignment of this case to another district judge.

15 IT IS SO ORDERED.

16 Dated: 9/20/2011

17 
18 JEREMY FOGEL
United States District Judge

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CERTIFICATE OF SERVICE

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the City of San Francisco, California; my business address is Severson & Werson, One Embarcadero Center, Suite 2600, San Francisco, CA 94111.

On the date below I served a copy, with all exhibits, of the following document(s):

DEFENDANTS' REQUEST TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE

on all interested parties in said case addressed as follows:

Jose Contreras
194 Trinity Avenue
Watsonville, CA 95076 Plaintiff, In Pro Per

9 ✓ (BY MAIL) By placing the envelope for collection and mailing following our ordinary
10 business practices. I am readily familiar with the firm's practice of collecting and processing
11 correspondence for mailing. On the same day that correspondence is placed for collection and
mailing, it is deposited in the ordinary course of business with the United States Postal Service in
San Francisco, California in sealed envelopes with postage fully prepaid.

12 **(BY HAND)** By placing the documents in an envelope or package addressed to the persons listed above and providing them to a professional messenger service for delivery.

13 **(BY FEDERAL EXPRESS)** By depositing copies of the above documents in a box or other facility regularly maintained by Federal Express with delivery fees paid or provided for.

14 **(BY EXPRESS MAIL)** By placing the above documents in the United States mail for
15 Express Mail delivery at One Embarcadero Center, Suite 2600, San Francisco, CA 94111, in a sealed envelope addressed as above, with Express Mail postage thereon fully prepaid.

16 **(BY FAX)** By use of facsimile machine telephone number (415) 956-0439, I faxed a true
17 copy to the addressee(s) listed above at the facsimile number(s) noted after the party's address.
The transmission was reported as complete and without error.

18 **(BY ELECTRONIC SERVICE)** Pursuant to CM/ECF System, registration as a CM/ECF
19 user constitutes consent to electronic service through the Court's transmission facilities. The
Court's CM/ECF system sends an e-mail notification of the filing to the parties and counsel of
record listed above who are registered with the Court's EC/ECF system.

20 **(BY ELECTRONIC TRANSMISSION)** By sending a file of the above documents(s) via
electronic transmission (e-mail) at _____ am./pm. using e-mail address
21 ([_____@severson.com](mailto:<u>_____@severson.com</u>)) to the e-mail address designed for each party identified above. I did not
receive, within a reasonable time after the transmission, any electronic message or other
22 indication that the transmission was unsuccessful.

23 I declare under penalty of perjury under the laws of the United States of America that the
24 foregoing is true and correct. I declare that I am employed in the office of a member of the Bar of
this Court at whose direction the service was made. This declaration is executed in San
Francisco, California, on July 11, 2011.

/s/ Chilly Kada
Chilly Kada